(1) (4) CTH 004

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W.P.NO.3356 /2003

PETITIONER : Gyanchand Pathak, aged about 37 years, S/o. Late Shri Babulal Pathak, Occupation- Lab Technician, Office of Principal, Regional Health & Family Welfare Training Centre, Bilaspur, R/o. H-1, Family Planning Colony, Sarkanda, Bilaspur, District Bilaspur, Chhattisgarh

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: Secretary, Government of Chhattisgarh, Department of Health & Family Welfare, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh.
2. The Director, Department of Health & Family Welfare, Raipur, Chhattisgarh.
3. The Collector, District Bilaspur, Chhattisgarh
4. The Chief Medical and Health Officer, Bilaspur, District Bilaspur, Chhattisgarh
5. The Principal, Regional Health & Family Welfare Training Centre, Bilaspur, District Bilaspur, Chhattisgarh

RECEIVED-COPY
Received
Clerk to A. G. Bilaspur
15/10/03

P. R. No. 3834/03
Presented by Shri S.L. Nagrikar
dated 15.10.03

शपथ आयुक्त
एल.के. शुक्ला
बिलासपुर तहसील कोर्ट
07/10/03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. **PARTICULARS ABOUT THE PETITIONER**:

As mentioned above in the cause title of the petition.

XI-HC-22

(61)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 3356 / सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	01.11.2003 Shri Manoj Paranjpe, counsel for the petitioner. Shri Praveen Das, Panel Lawyer for the State. By this petition under Articles 226 & 227 of Constitution of India the petitioner seeks to challenge his transfer order dated 30.09.2003 by which he has been transferred from Bilaspur to Pendra Health Centre, Pendra. The petitioner is working as Lab Assistant. Learned counsel for the petitioner submits that the petitioner was suspended in the month of January 2003 and an enquiry was instituted against him and the petitioner was reinstated in the month of August 2003 and enquiry is still pending but the petitioner has been transferred to Pendra Health Centre, Pendra. The main grievance of the petitioner which the learned counsel for the petitioner submits is that the enquiry is still pending but he has been transferred to a place which is at the distance of more than 100 Kilometers from Bilaspur and in the circumstances it will be very difficult for the petitioner to defend his enquiry, therefore, his transfer is not in any administrative exigency. Learned counsel for	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(62)

आदेश पत्रक

मामला क्रमांक WP 3356/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the petitioner further submits that the petitioner has made a representation to respondent no.1 on 30.10.2003 but the same has not been decided, therefore the respondent no.1 may be directed to decide the representation.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the respondent no.1 is directed to decide the representation of the petitioner in an objective manner considering all his grievances with a reasoned order within a period of thirty days. If the representation is not available in the office of respondent no.1 then the petitioner is allowed to make a representation to respondent no.1 within ten days from today and respondent no.1 shall decide the same within a period of thirty days from the date of receipt of representation.

With this observation and direction, the petition stands disposed of.

Consequently, M.W.P. No. 3071/2003 & I.A. No.9823/2003 & 9824/2003 also stands disposed of.

Certified copy as per Rules

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये

4/11
Roshan